

### **REMARKS**

Claims 1, 3, 5, 9-10, 13, 18, 24, 31-33, 35-36, 39-41, 43, and 46-52 are pending in the application. Claim 53 is cancelled and its subject matter recited in independent claim 24. Claims 1, 13, 24, 31, 41, 48, and 49. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **NON-CONSIDERATION OF THE AFFIDAVIT PREVIOUSLY FILED**

The Examiner remarks that Applicants Affidavit filed July 7, 2003 is not considered because the previously presented claims fail to recite NAT routers.

However, Applicants note that previously presented dependent claims 51 and 53 specifically recite NAT routers. Moreover, multiple ones of the previously presented independent claims specifically recite network address translation devices. Therefore, Applicants remark that a supplemental Office action is in order.

Accordingly, unless the amended claims herein are allowed, Applicants request that the Examiner at least refrain from issuing a Final rejection in a next Office action.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1, 3, 5, 9-10, 24, 31-33, 35-36, 40-41, 43, and 47-53 stand rejected under 35 USC § 103(a) as being unpatentable over Park (U.S. Pub. No. 2003/0031173) in view of Martin et al. (U.S. Pat. App. Pub. No. 2004/0073640) and Farinacci et al. (U.S. Pat. No. 7,016,351). This rejection is respectfully traversed.

Applicant submits herewith a Declaration providing inventor testimony to serve as evidence that Farinacci et al. is not analogous prior art. The inventor expert witness testifies that Faranacci et al. merely teach using a proprietary protocol to discover a multicast path and set up a source address routing list, which cannot be applied to networks with NAT routers, since a tracing packet for the purpose of route setup cannot traverse the entire network to get a source routing list. Accordingly, Farinacci et al. is in a different field of endeavor because the differences in structure and function reveal that the teachings of Farinacci et al. are not relevant to the particular problem with which the inventor is involved. Moreover, Farinacci et al. is not reasonably pertinent to the problem with which the inventor was concerned because a person having ordinary skill in the art would not reasonably have expected to solve the problem of destination routing in private networks by considering a reference dealing with source routing using a list of public addresses.

Park (U.S. Pub. No. 2003/0031173) in view of Martin et al. (U.S. Pat. App. Pub. No. 2004/0073640) and Farinacci et al. (U.S. Pat. No. 7,016,351), teach suggest or motivate a Nat router that: receives a data packet having a packet header including a destination IP address field, a source IP address field, and an options field having a stack of two or more private IP addresses appended to each other in a predefined order and defining a path to a source device in a private network; extracts a private IP address directly from the options field; directly formats the destination IP address field of the packet header with the extracted private IP address prior to forwarding the data packet; and reformats the options field to remove the extracted private IP address from the stack prior to forwarding the data packet.

Applicants claimed invention is directed toward a Nat router that: receives a data packet having a packet header including a destination IP address field, a source IP address field, and an options field having a stack of two or more private IP addresses appended to each other in a predefined order and defining a path to a source device in a private network; extracts a private IP address directly from the options field; directly formats the destination IP address field of the packet header with the extracted private IP address prior to forwarding the data packet; and reformats the options field to remove the extracted private IP address from the stack prior to forwarding the data packet. For example, independent claim 1 recites limitations to this subject matter. The other independent claims, especially as amended, recite similar subject matter.

Therefore, Applicants respectfully requests the Examiner reconsider and withdraw the rejection of claims 1, 3, 5, 9-10, 24, 31-33, 35-36, 40-41, 43, and 47-53 under 35 USC § 103(a).

Claims 13, 18, 39, and 46 stand rejected under 35 USC § 103(a) as being unpatentable over Park (U.S. Pub. No. 2003/0031173) in view of Martin et al. (U.S. Pat. App. Pub. No. 2004/0073640), Farinacci et al. (U.S. Pat. No. 7,016,351), and Official Notice. This rejection is respectfully traversed.

The Examiner admits that the cited references do not disclose storing an original source private IP address in the source IP address field of the packet header instead of the public IP address purportedly disclosed by the references. The Examiner takes Official Notice that it would be obvious to do so. However, the Examiner's assertion of Official Notice is Officially Challenged. In particular, modifying the teachings of the prior art references as suggested by the Examiner would render the references inoperable

for their intended purposes. In other words, the Examiner applies impermissible hindsight reasoning to arrive at Applicant's claimed invention.

Applicant submits herewith a Declaration providing inventor testimony to serve as evidence that Farinacci et al. is not analogous prior art. The inventor expert witness testifies that Farinacci et al. merely teach using a proprietary protocol to discover a multicast path and set up a source address routing list, which cannot be applied to networks with NAT routers, since a tracing packet for the purpose of route setup cannot traverse the entire network to get a source routing list. Accordingly, Farinacci et al. is in a different field of endeavor because the differences in structure and function reveal that the teachings of Farinacci et al. are not relevant to the particular problem with which the inventor is involved. Moreover, Farinacci et al. is not reasonably pertinent to the problem with which the inventor was concerned because a person having ordinary skill in the art would not reasonably have expected to solve the problem of destination routing in private networks by considering a reference dealing with source routing using a list of public addresses.

Park (U.S. Pub. No. 2003/0031173) in view of Martin et al. (U.S. Pat. App. Pub. No. 2004/0073640), Farinacci et al. (U.S. Pat. No. 7,016,351), and Official notice teach suggest or motivate a Nat router that: receives a data packet having a packet header including a destination IP address field, a source IP address field, and an options field having a stack of two or more private IP addresses appended to each other in a predefined order and defining a path to a source device in a private network; extracts a private IP address directly from the options field; directly formats the destination IP address field of the packet header with the extracted private IP address prior to

forwarding the data packet; and reformats the options field to remove the extracted private IP address from the stack prior to forwarding the data packet.

Applicants claimed invention is directed toward a Nat router that: receives a data packet having a packet header including a destination IP address field, a source IP address field, and an options field having a stack of two or more private IP addresses appended to each other in a predefined order and defining a path to a source device in a private network; extracts a private IP address directly from the options field; directly formats the destination IP address field of the packet header with the extracted private IP address prior to forwarding the data packet; and reformats the options field to remove the extracted private IP address from the stack prior to forwarding the data packet. For example, independent claim 1 recites limitations to this subject matter. The other independent claims, especially as amended, recite similar subject matter.

Therefore, Applicant respectfully requests the Examiner reconsider and withdraw the rejection of claims 13, 18, 39, and 46 under 35 USC § 103(a).

**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: Dec 11, 2007

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